

EXHIBIT

10

DORMITORY AUTHORITY – STATE OF NEW YORK
515 Broadway, Albany, New York 12207-2964

CHANGE ORDER

| | |
|--|---|
| TO: Contractor: <u>TRATAROS CONSTRUCTION, INC.</u> | Change Order No. <u>GC2-028</u> |
| Street: <u>122 E. 25th Street</u> | JD Edwards Change Request No: _____ |
| City State Zip: <u>New York, NY 10010</u> | JD Edwards Contract No: <u>61506</u> |
| | JD Edwards Project No: <u>12777099999</u> |

You are hereby directed to perform all labor and to provide all materials necessary to carry out the work described below:

Project Name and Location: **Baruch College - Site "B"**

Description of Work:

Allocation of additional funds as compensation for supplying labor, equipment and materials required in the installation of "self leveling" floor fill from the 3rd floor through to the 14th floor.

Full consideration for this change order shall be an **INCREASE/DECREASE** of the original contract amount by:

Dollars

| | | |
|----------|---|----------------------|
| Labor | = | \$ 541,869.00 |
| Material | = | <u>\$ 311,500.00</u> |
| Total | = | <u>\$ 853,369.00</u> |

Increase/Decrease of the original schedule by 0 days. In accepting and executing this change order the contractor, its heirs, executors, administrators, successors, and assigns hereby release and forever discharge the Dormitory Authority of the State of New York, its successors, and assigns from any and all actions, causes of action, claims and demands whatsoever in law or in equity which the contractor ever had, now has or may have against the Dormitory Authority of the State of New York in any way arising out of this change.

Recommended by:

CONSTRUCTION MANAGER OR ARCHITECT

TDX CONSTRUCTION CORPORATION

Name

J. Zollner

4-19-00
Date

INSTITUTION (WHERE REQUIRED)

Name

Date

CONTRACTOR

TRATAROS CONSTRUCTION, INC.

Name

J. C.

4/16/00
Date

Approved by: DORMITORY AUTHORITY

By: _____ Date: _____

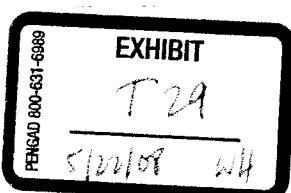
Title

Dormitory Authority Use Only:

ALT BAC BND CLA CLO COM COR DE DO EMR FLD INF INS OFS PRG

* SEE TRATAROS PROPOSAL WHICH INCLUDES A STATEMENT REGARDING RESERVATION OF RIGHTS FOR ADDITIONAL COST AND TIME EXTENSIONS.

** SEE TDX MEMO REGARDING CONTRACTOR'S STATEMENT



DASNY_TRAVELERS2 150186

TDX CONSTRUCTION CORPORATION

BARUCH COLLEGE - SITE B

CHANGE ORDER CHECKLIST

CHANGE ORDER NO: GC2-028

IN ORDER OF APPEARANCE:

- [X] ORIGINAL SIGNED CHANGE ORDER:
- [X] CHANGE ORDER COST REVIEW CERTIFICATION:
- [X] CHANGE ORDER MEMORANDUM:
- [X] DETAILED MEMORANDUM OF JUSTIFICATION AND NEGOTIATION:
- [X] COPY OF TDX LETTER OF DIRECTIVE DATED: 1/13/2000
- [X] RECORD OF NEGOTIATION DATED 3/30/2000
- [X] TDX ESTIMATE
- [X] COPY OF CONTRACTORS PROPOSAL DATED 3/21/2000 IN THE AMOUNT \$532,328.00.
- [X] REFERENCE DOCUMENTS : Manufacturer's Catalogue Sheet., KPF Memo 11/8/99

DORMITORY AUTHORITY STATE OF NEW YORK
CHANGE ORDER COST REVIEW CERTIFICATION

PROJECT: BARUCH COLLEGE - SITE "B" ND# 577 CR#

CONTRACTOR FILING CLAIM: TRATAROS, CONSTRUCTION, INC. COST: \$ 853,369.00

CHANGE ORDER NO: GC2-028 ORIGINAL CONTRACT NO: 61506

DESCRIPTION OF CHANGE ORDER WORK:

Allocation of additional funds as compensation for supplying labor, equipment and materials required in the installation of "self leveling" floor fill from the 3rd floor through to the 14th floor.

This is to certify that the following applicable reviews have been made relative to the contractor's cost calculation for the above change order.

YES NO

1. Unit rates from construction applied (where applicable).
 2. Wage rates correct / Man hours reasonable.
 3. Material prices verified and reasonable.
 4. Rental rates verified and reasonable.
 5. Percentage mark-ups applied properly as per General Conditions.

Based on the above reviews, the following recommendation is hereby made to the Dormitory Authority regarding the disposition of said Change Order.

1. Change Order should be approved.
 2. Change Order should be deferred for approval subject to the following modifications:

This cost review completed by:

Antonio I. Aloiod

Representing the: Architect: _____ Construction Manager: Other: _____

Signature of reviewing person:

Acknowledge by Dormitory Authority: /

Date: _____ Disposition Approved: _____ Deferred: _____

MEMORANDUM
(Contractor's Statement)

DATE: **4/12/2000**

TO: Nick D'Ambrosio

FROM: John J. McCullough

JOB: Baruch College - Site B

RE: Self Leveling Floor Fill--Trataros Const., Inc.
C. O. No.: GC 2-028

This memorandum is in reply to the contractor's comment inserted at the bottom front page of this change order.

We have considered the contractor's comment along with the included statement. Any time impact to the contract or any costs associated with an extension of time to the contract is not acknowledged and has not been determined at this time. Appropriate consideration will be made at a future date, in accordance with contractual obligations for any time impact to the contract and costs associated with same.

TDX CONSTRUCTION CORPORATION

CHANGE ORDER MEMORANDUM

DATE: 4/10/2000
TO: Nick D'Ambrosio
FROM: John J. McCullough
JOB: Baruch College - Site B
RE: GC2-028, Trataros Construction, Inc.

Attached you will find one original of the above referenced change order signed by the contractor and one copy of the required back up.

This change order in the amount of \$ 853,369.00 is for the allocation of additional funds as compensation for supplying labor, equipment and materials required in the installation of "self leveling" floor fill from the 3rd floor through to the 14th floor. KPF, by their memorandum issued on 11/8/99 has emphasized that the criteria to be used for slab tolerances for finish floor materials shall be 1/4" over 10 feet run for Terrazzo and VCT and 1/2" over 10 feet for Carpet floor finish. Where slabs are beyond these tolerances, self leveling floor fill should be used to level the slabs prior to finish installation. Survey results revealed that leveling work is necessary and primarily covers the corridor floors and some isolated areas. It was agreed in the meeting held on 3/30/00 that payments shall be assessed by the unit cost of \$59.68 per bag of cementitious self leveling materials used (inclusive of all labor, materials, equipment, overhead and profit), and regardless of the thickness in placed. Progress payment will be made to the contractor and the amount owed will be deducted from this fund. If upon completion of this work, the final amount exceeds the allocated funds, a supplemental change order will then be issued.

This additional work is necessary due to the camber in the steel not coming out in the loading of the structure. The slab had to be pinned to ensure that the required thickness in the slab was achieved for structural integrity as well as to attain the proper coverage over shear studs, conduits and other embedded items. This created irregular contours in the flatness of the slab. A credit change order (SC-022) was taken against Contract No. 9 for what he would have expended in flash patching of the slabs if the camber had came down.

TDX has reviewed this change order and finds it to be fair and reasonable and recommends its approval. It is our recommendation that the cost should be appropriated as a design omission.

TDX CONSTRUCTION CORPORATION

Baruch College - Site B

CHANGE ORDER MEMORANDUM OF JUSTIFICATION AND NEGOTIATION

CHANGE ORDER NO: GC2-028

CONTRACTOR: TRATAROS CONSTRUCTION, INC.

DESCRIPTION OF CHANGE:

Allocation of additional funds as compensation for supplying labor, equipment and materials required in the installation of "self leveling" floor fill from the 3rd floor through to the 14th floor.

REASON FOR CHANGE:

The allocation of funds will enable the contractor to provide financial relief to his sub contractor and to insure that the progress of work is not delayed due to financial constraint. Final valuation will be reflected in a corresponding change order and shall be calculated in accordance with the agreed unit cost per bag of the cementitious leveling materials used. If the final amount do not meet the amount of this drawdown, the balance owed will accordingly be deducted from the contractor's remaining funds. Otherwise, a supplemental change order will be issued. This additional work is necessary due to the camber in the steel not coming out in the loading of the structure.

RECORD OF NEGOTIATIONS:

The contractor submitted a proposal in the corrected amount of \$529,867.90. This was based on the application of 3/8" thickness on a floor coverage of 100,000 sq.ft. In the meeting held at TDX field office on 3/30/2000, an agreement was reached to adopt ¼" thickness as a basis for an estimate due to the surveys that were taken. Based on this criteria and an estimated floor area coverage of 100,000 square feet, the negotiating participants (DASNY, Trataros, TDX) agreed on a unit cost of \$59.68 per bag-installed (regardless of actual thickness), for a total Change Order amount of \$853,369.00. .

Attendees:

DASNY

N. D'Ambrosio
J. Mueller

TDX

R. Leu
J. R. Jones
A. I. Alolod

TRATAROS

J. Clark
R. Rangaswamy

TDX DIRECTIVE

Dated: 1/13/2000

Change Order No.:GC2-028



TDX CONSTRUCTION CORPORATION

121 West 27th Street
New York, N.Y. 10001
(212) 807-1414
FAX: (212) 807-1421

Baruch College Field Office
137 East 25th Street
New York, N.Y. 10010
(212) 679-0031

January 13, 2000

Trataros Construction Inc.
122 East 25th Street
New York, NY 10010

Attn: John Clarke

RE: *Baruch College - Site "B"*
Contract No. 16 - G.C. #2
ND# 577

Gentlemen:

You are hereby directed to furnish and install additional floor leveling in the locations as noted in the attached estimate. The basement levels and the 1st floor are forth coming.

Please transmit your cost proposal for the cost of floor leveling which is in excess of due allowances for floor patching in your contract.

Very truly yours,
TDX Construction Corporation

A handwritten signature in black ink, appearing to read "John J. McCullough".

John J. McCullough, P.E.
Project Manager

RL/amo
Encl.

Cc: N. D'Ambrosio
J. Barrera
J. R. Jones
A. Yuen
ND# 577/2.3B

Ltr Trataros ND# 577

FAX (212) 679-0037

RECORD OF NEGOTIATION

Dated: 3/30/00

Change Order No.:GC2-028

TDX CONSTRUCTION, CORP.
ND 577- FLOOR LEVELING

Latest revision 3/30/00 3:00PM
DISCUSSED IN THE MEETING OF 3/30/2000

CONTRACTOR: TRATAROS CONST., INC.- NEGOTIATIONS

| TDX ESTIMATE- 3/4" THICK | | | | | |
|--|---------------|------|----------|---------------|---------------|
| BASED ON 100,000 SF | | | | | |
| Description | Materials Qty | Unit | Rate | Amount | TOTALS |
| Modified Polymer P.C. (yield bags @ 3/4" is 7.3 sf) | 14300 bags | | 21.00 | \$ 300,300.00 | |
| Adhesive primer | 1000 gals | | 9.00 | \$ 9,000.00 | |
| Sandpaper | 1 LS | | 800.00 | \$ 800.00 | |
| Stops | 1800 LF | | 0.50 | \$ 900.00 | |
| Sweeping Compound | 1 LS | | 500.00 | \$ 500.00 | \$ 311,500.00 |
| Equipment | | | | | |
| Fork Lift | 15 days | | 200.00 | \$ 3,000.00 | |
| Miscellaneous Tools | 1 LS | | 1,000.00 | \$ 1,000.00 | |
| Rental for Pump(1) | 70 days | | 100.00 | \$ 7,000.00 | \$ 11,000.00 |
| Material Handling Costs(953 bags per day) | | | | | |
| Teamster Driver | 15 days | | 410.00 | \$ 6,150.00 | |
| 5-Laborer | 15 days | | 1,750.00 | \$ 26,250.00 | |
| 1-Fork Lift Operator | 15 days | | 500.00 | \$ 7,500.00 | |
| Holst Charges | 15 days | | 1,600.00 | \$ 24,000.00 | \$ 63,900.00 |
| Layout, Shoot pins, measure Estimated @ 4500 s.f./day | | | | | |
| 2- Surveyor (Initial Survey) | 22.22 days | | 900.00 | \$ 20,000.00 | |
| | 8 days | | 900.00 | \$ 7,200.00 | \$ 27,200.00 |
| Installation of Stops- Total (150 LF/FL.=1800L.F) | | | | | |
| 1- Carpenter | 12 days | | 350.00 | \$ 4,200.00 | \$ 4,200.00 |
| Preparation of Floors | | | | | |
| Shot blasting,Sanding, Sweeping, Applying Primer | | | | | |
| Shot blasting, sanding, and sweeping | 100000 sf | | 0.30 | \$ 30,000.00 | \$ 30,000.00 |
| Apply Primer (Mop or broom) | 100000 sf | | 0.30 | \$ 30,000.00 | \$ 30,000.00 |
| Additional Primer And Sweeping | 100000 sf | | 0.30 | \$ 30,000.00 | \$ 30,000.00 |
| Pumping- 204 bags per day | | | | | |
| 5- Men | 70 days | | 1750.00 | \$ 122,500.00 | \$ 122,500.00 |
| TOTAL SUBCONTRACTOR'S COST | | | | | |
| | | | | \$ 630,300.00 | |
| 20% o.h. & p | | | | \$ 126,060.00 | \$ 756,360.00 |
| GC MARKUP, 10%, 5% and 3% | | | | \$ 21,409.00 | |
| SUB TOTAL | | | | \$ 777,769.00 | |
| GC DIRECT COST: | | | | | |
| Supervisor | 70 days | | 400.00 | \$ 28,000.00 | |
| Operating Engineer | 70 days | | 500.00 | \$ 35,000.00 | |
| TOTAL GC COST | | | | \$ 63,000.00 | |
| 20% o.h. & p | | | | \$ 12,600.00 | |
| SUB TOTAL | | | | \$ 75,600.00 | |
| GRAND TOTAL FOR CHANGE ORDER | | | | | |
| | | | | \$ 853,369.00 | |

1. To formulate "Cost per Bag", Grand Total / Total No. of Bags

i.e., 853,369.00/14300=

\$ 59.68

Materials

36.50% \$ 311,500.00

Labor

63.50% \$ 541,869.00

\$ 853,369.00

TDX CONSTRUCTION, CORP.
ND 577- FLOOR LEVELING

Latest revision 3/30/00 3:00PM
DISCUSSED IN THE MEETING OF 3/30/2000

CONTRACTOR: TRATAROS CONST., INC.

| CONTRACTOR'S PROPOSAL (CORRECTED) | | | 3/8"th | BASED ON 100,000 SF | | |
|-----------------------------------|--|---------------|--------|---------------------|---------------|---------------|
| ITEM NO. | Description | Materials Qty | Unit | Rate | Amount | TOTALS |
| 1 | Modified Polymer P.C. (yield bags @ 3/8" is 14 sf) | 7150 bags | | 21.00 | \$ 150,150.00 | |
| 2 | Adhesive primer | 1000 gals | | 9.00 | \$ 9,000.00 | |
| 3 | Sandpaper | 1 LS | | 1,000.00 | \$ 1,000.00 | |
| 4 | Stops | 1 LS | | 2,400.00 | \$ 2,400.00 | |
| 5 | Sweeping Compound | 1 LS | | 500.00 | \$ 500.00 | \$ 163,050.00 |
| 6 | Equipment | | | | | |
| 7 | Fork Lift | 8 days | | 200.00 | \$ 1,600.00 | |
| 8 | Miscellaneous Tools | 1 LS | | 1,000.00 | \$ 1,000.00 | |
| 9 | Rental for Pump | 42 days | | 300.00 | \$ 12,600.00 | \$ 15,200.00 |
| 10 | Material Handling Costs (894 bags per day) | | | | | |
| 11 | Teamster Driver | 8 days | | 410.00 | \$ 3,280.00 | |
| 12 | 5-Laborer | 8 days | | 1,750.00 | \$ 14,000.00 | |
| 13 | 1-Fork Lift Operator | 8 days | | 500.00 | \$ 4,000.00 | |
| 14 | Hoist Charges | 8 days | | 1,600.00 | \$ 12,800.00 | \$ 34,080.00 |
| 15 | Layout, Shoot pins, measure | | | | | |
| 16 | Estimated @ 4000 s.f./day | | | | | |
| 17 | 2- Surveyor (Initial Survey) | 25 days | | 900.00 | \$ 22,500.00 | |
| 18 | 2- Surveyor | 8 days | | 900.00 | \$ 7,200.00 | \$ 29,700.00 |
| 19 | Installation of Stops- Total= 4800L.F @ 400L.F./day | | | | | |
| 20 | 1- Carpenter | 12 days | | 350.00 | \$ 4,200.00 | \$ 4,200.00 |
| 21 | Preparation of Floors- 2500 s.f./day | | | | | |
| 22 | Sanding, Sweeping, Applying Primer | | | | | |
| 23 | 5-men | 40 days | | 1,750.00 | \$ 70,000.00 | \$ 70,000.00 |
| 24 | Pumping- 175 bags per day | | | | | |
| 25 | 5-men | 42 days | | 1750.00 | \$ 73,500.00 | \$ 73,500.00 |
| 26 | TOTAL SUBCONTRACTOR'S COST | | | | \$ 389,730.00 | |
| 27 | 20% o.h. & p | | | | \$ 77,946.00 | \$ 467,676.00 |
| 28 | GC MARKUP, 10%, 5% and 3% | | | | \$ 14,191.90 | |
| 29 | SUB TOTAL | | | | \$ 481,867.90 | |
| 30 | GC DIRECT COST: | | | | | |
| 31 | Supervisor | 40 days | | 500.00 | \$ 20,000.00 | |
| 32 | Operating Engineer | 40 days | | 500.00 | \$ 20,000.00 | |
| 33 | TOTAL GC COST | | | | \$ 40,000.00 | |
| 34 | 20% o.h. & p | | | | \$ 8,000.00 | |
| 35 | SUB TOTAL | | | | \$ 48,000.00 | |
| 36 | GRAND TOTAL FOR CHANGE ORDER | | | | \$ 529,867.90 | |

COMMENTS

1. To formulate "Cost per Bag", Grand Total / Total No. of Bags
 i.e., 529,867.90/7150= \$ 74.11

TDX CONSTRUCTION, CORP.
ND 577- FLOOR LEVELING

Latest revision 3/30/00 3:00PM
DISCUSSED IN THE MEETING OF 3/30/2000

CONTRACTOR: TRATAROS CONST., INC.

| TDX ESTIMATE- 3/8" THICK | | BASED ON 100,000 SF | | | |
|--|------------------|---------------------|----------|---------------|---------------|
| Description | Materials Qty | Unit | Rate | Amount | TOTALS |
| Modified Polymer P.C. (yield bags @ 3/8" is 14 sf) | 7150 bags | | 21.00 | \$ 150,150.00 | |
| Adhesive primer | 500 gals | | 9.00 | \$ 4,500.00 | |
| Sandpaper | 1 LS | | 800.00 | \$ 800.00 | |
| Stops | 1800 LF | | 0.50 | \$ 900.00 | |
| Sweeping Compound | 1 LS | | 500.00 | \$ 500.00 | \$ 156,850.00 |
| Equipment | | | | | |
| Fork Lift | 8 days | | 200.00 | \$ 1,600.00 | |
| Miscellaneous Tools | 1 | LS | 1,000.00 | \$ 1,000.00 | |
| Rental for Pump | 40 days | | 100.00 | \$ 4,000.00 | \$ 6,600.00 |
| Material Handling Costs (894 bags per day) | | | | | |
| Teamster Driver | 8 days | | 410.00 | \$ 3,280.00 | |
| 5-Laborer | 8 days | | 1,750.00 | \$ 14,000.00 | |
| 1-Fork Lift Operator | 8 days | | 500.00 | \$ 4,000.00 | |
| Hoist Charges | 8 days | | 1,600.00 | \$ 12,800.00 | \$ 34,080.00 |
| Layout, Shoot pins, measure Estimated @ 4500 s.f./day | | | | | |
| 2- Surveyor (Initial Survey) 2- Surveyor | 22.22 days | | 900.00 | \$ 20,000.00 | |
| | 8 days | | 900.00 | \$ 7,200.00 | \$ 27,200.00 |
| Installation of Stops- Total (150 L.F./FL.=1800LF) | | | | | |
| 1- Carpenter | 12 days | | 350.00 | \$ 4,200.00 | \$ 4,200.00 |
| Preparation of Floors | | | | | |
| Shot blasting, Sanding, Sweeping, Applying Primer | | | | | |
| Shot blasting, sanding, and sweeping | 100000 sf | | 0.30 | \$ 30,000.00 | \$ 30,000.00 |
| Apply Primer (Mop or broom) | 100000 sf | | 0.30 | \$ 30,000.00 | \$ 30,000.00 |
| Pumping- 175 bags per day | | | | | |
| 5-men | 40 days | | 1750.00 | \$ 70,000.00 | \$ 70,000.00 |
| TOTAL SUBCONTRACTOR'S COST | | | | | \$ 358,930.00 |
| 20% o.h. & p | | | | | \$ 71,786.00 |
| GC MARKUP, 10%, 5% and 3% | | | | | \$ 430,716.00 |
| SUB TOTAL | | | | | \$ 13,267.90 |
| | | | | | \$ 443,983.90 |
| GC DIRECT COST: | | | | | |
| Supervisor | 40 days | | 400.00 | \$ 16,000.00 | |
| Operating Engineer | 40 days | | 500.00 | \$ 20,000.00 | |
| TOTAL GC COST | | | | | \$ 36,000.00 |
| 20% o.h. & p | | | | | \$ 7,200.00 |
| SUB TOTAL | | | | | \$ 43,200.00 |
| GRAND TOTAL FOR CHANGE ORDER | | | | | \$ 487,183.90 |

1. To formulate "Cost per Bag", Grand Total / Total No. of Bags
i.e., 487,183.90/7150= \$ 68.14

TDX CHANGE ORDER ESTIMATE

Change Order No.:GC2-028

TDX CONSTRUCTION, CORP.
ND 577- FLOOR LEVELING

TDX ESTIMATE

CONTRACTOR: TRATAROS CONST., INC.

| CONTRACTOR'S PROPOSAL (CORRECTED) | | | | BASED ON 100,000 SF | | |
|-----------------------------------|--|---------------|------|---------------------|---------------|----------------------|
| ITEM NO. | Description | Materials Qty | Unit | Rate | Amount | TOTALS |
| 1 | Modified Polymer P.C. (yield bags @ 3/8" is 14 sf) | 7150 bags | | 21.00 | \$ 150,150.00 | |
| 2 | Adhesive primer | 1000 gals | | 9.00 | \$ 9,000.00 | |
| 3 | Sandpaper | 1 LS | | 1,000.00 | \$ 1,000.00 | |
| 4 | Stops | 1 LS | | 2,400.00 | \$ 2,400.00 | |
| 5 | Sweeping Compound | 1 LS | | 500.00 | \$ 500.00 | \$ 163,050.00 |
| 6 | Equipment | | | | | |
| 7 | Fork Lift | 8 days | | 200.00 | \$ 1,600.00 | |
| 8 | Miscellaneous Tools | 1 LS | | 1,000.00 | \$ 1,000.00 | |
| 9 | Rental for Pump | 42 days | | 300.00 | \$ 12,600.00 | \$ 15,200.00 |
| 10 | Material Handling Costs (894 bags per day) | | | | | |
| 11 | Teamster Driver | 8 days | | 410.00 | \$ 3,280.00 | |
| 12 | 5-Laborer | 8 days | | 1,750.00 | \$ 14,000.00 | |
| 13 | 1-Fork Lift Operator | 8 days | | 500.00 | \$ 4,000.00 | |
| 14 | Hoist Charges | 8 days | | 1,600.00 | \$ 12,800.00 | \$ 34,080.00 |
| 15 | Layout, Shoot pins, measure Estimated @ 4000 s.f./day | | | | | |
| 16 | 2- Surveyor | 25 days | | 900.00 | \$ 22,500.00 | |
| 17 | (Initial Survey) 2- Surveyor | 8 days | | 900.00 | \$ 7,200.00 | \$ 29,700.00 |
| 18 | Installation of Stops- Total= 4800L.F. @ 400L.F./day | | | | | |
| 19 | 1- Carpenter | 12 days | | 350.00 | \$ 4,200.00 | \$ 4,200.00 |
| 20 | Preparation of Floors- 2500 s.f./day Sanding, Sweeping, Applying Primer | | | | | |
| 21 | 5-men | 40 days | | 1,750.00 | \$ 70,000.00 | \$ 70,000.00 |
| 22 | Pumping- 175 bags per day | | | | | |
| 23 | 5-men | 42 days | | 1750.00 | \$ 73,500.00 | \$ 73,500.00 |
| 24 | TOTAL SUBCONTRACTOR'S COST | | | | | |
| 25 | | | | | \$ 389,730.00 | |
| 26 | 20% o.h. & p | | | | \$ 77,946.00 | \$ 467,676.00 |
| 27 | GC MARKUP, 10%, 5% and 3% | | | | \$ 14,191.90 | |
| 28 | SUB TOTAL | | | | | |
| 29 | | | | | \$ 481,867.90 | |
| 30 | GC DIRECT COST: | | | | | |
| 31 | Supervisor | 40 days | | 500.00 | \$ 20,000.00 | |
| 32 | Operating Engineer | 40 days | | 500.00 | \$ 20,000.00 | |
| 33 | TOTAL GC COST | | | | | |
| 34 | | | | | \$ 40,000.00 | |
| 35 | 20% o.h. & p | | | | \$ 8,000.00 | |
| 36 | SUB TOTAL | | | | | |
| 37 | | | | | \$ 48,000.00 | |
| 38 | GRAND TOTAL FOR CHANGE ORDER | | | | | |
| 39 | | | | | \$ 529,867.90 | |

COMMENTS

1. Sum of Item 33 and 34. SubContractor's Sub Total, shall be taken to formulate "Cost per Bag"
i.e., 467.676.00/7150= **\$ 65.41**

TDX CONSTRUCTION, CORP.
ND 577- FLOOR LEVELING

TDX ESTIMATE

CONTRACTOR: TRATAROS CONST., INC.

| TDX ESTIMATE- 3/8" THICK | | BASED ON 100,000 SF | | | |
|--|---------------|---------------------|----------|----------------------|---------------|
| Description | Materials Qty | Unit | Rate | Amount | TOTALS |
| Modified Polymer P.C. (yield bags @ 3/8" ls 14 sf) | 7150 bags | | 21.00 | \$ 150,150.00 | |
| Adhesive primer | 500 gals | | 9.00 | \$ 4,500.00 | |
| Sandpaper | 1 LS | | 800.00 | \$ 800.00 | |
| Stops | 1800 LF | | 0.50 | \$ 900.00 | |
| Sweeping Compound | 1 LS | | 500.00 | \$ 500.00 | \$ 156,850.00 |
| Equipment | | | | | |
| Fork Lift | 8 days | | 200.00 | \$ 1,600.00 | |
| Miscellaneous Tools | 1 LS | | 1,000.00 | \$ 1,000.00 | |
| Rental for Pump | 40 days | | 100.00 | \$ 4,000.00 | \$ 6,600.00 |
| Material Handling Costs (894 bags per day) | | | | | |
| Teamster Driver | 8 days | | 410.00 | \$ 3,280.00 | |
| 5-Laborer | 8 days | | 1,750.00 | \$ 14,000.00 | |
| 1-Fork Lift Operator | 8 days | | 500.00 | \$ 4,000.00 | |
| Hoist Charges | 8 days | | 1,600.00 | \$ 12,800.00 | \$ 34,080.00 |
| Layout, Shoot pins, measure Estimated @ 5000 s.f./day | | | | | |
| 2- Surveyor (Initial Survey) 2- Surveyor | 20 days | | 900.00 | \$ 18,000.00 | |
| | 5 days | | 900.00 | \$ 4,500.00 | \$ 22,500.00 |
| Installation of Stops- Total (150 L.F/FL=1800L.F) | | | | | |
| 1- Carpenter | 8 days | | 350.00 | \$ 2,800.00 | \$ 2,800.00 |
| Preparation of Floors | | | | | |
| Shot blasting, Sanding, Sweeping, Applying Primer | | | | | |
| Shot blasting, sanding, and sweeping | 100000 sf | | 0.30 | \$ 30,000.00 | \$ 30,000.00 |
| Apply Primer (Mop or broom) | 100000 sf | | 0.25 | \$ 25,000.00 | \$ 25,000.00 |
| Pumping- 175 bags per day | | | | | |
| 5-men | 40 days | | 1750.00 | \$ 70,000.00 | \$ 70,000.00 |
| TOTAL SUBCONTRACTOR'S COST | | | | \$ 347,830.00 | |
| 20% o.h. & p | | | | \$ 69,566.00 | \$ 417,396.00 |
| GC MARKUP, 10%, 5% and 3% | | | | \$ 12,934.90 | |
| SUB TOTAL | | | | \$ 430,330.90 | |
| GC DIRECT COST: | | | | | |
| Supervisor | 40 days | | 350.00 | \$ 14,000.00 | |
| Operating Engineer | 40 days | | 500.00 | \$ 20,000.00 | |
| TOTAL GC COST | | | | \$ 34,000.00 | |
| 20% o.h. & p | | | | \$ 6,800.00 | |
| SUB TOTAL | | | | \$ 40,800.00 | |
| GRAND TOTAL FOR CHANGE ORDER | | | | \$ 471,130.90 | |

1. Sum of Item 33 and 34, SubContractor's Sub Total, shall be taken to formulate "Cost per Bag"
i.e., 417,396.00/7150= **\$ 58.38**

TDX CONSTRUCTION, CORP.
ND 577- FLOOR LEVELING

TDX ESTIMATE

CONTRACTOR: TRATAROS CONST., INC.

| TDX ESTIMATE- 3/4" THICK | | BASED ON 100,000 SF | | | | |
|--|------------|---------------------|------|----------|---------------|---------------|
| Description | Qty | Materials | Unit | Rate | Amount | TOTALS |
| Modified Polymer P.C. (yield bags @ 3/4" is 7.3 sf) | 14300 bags | | | 21.00 | \$ 300,300.00 | |
| Adhesive primer | 500 gals | | | 9.00 | \$ 4,500.00 | |
| Sandpaper | 1 LS | | | 800.00 | \$ 800.00 | |
| Stops | 1800 LF | | | 0.50 | \$ 900.00 | |
| Sweeping Compound | 1 LS | | | 500.00 | \$ 500.00 | \$ 307,000.00 |
| Equipment | | | | | | |
| Fork Lift | 15 days | | | 200.00 | \$ 3,000.00 | |
| Miscellaneous Tools | 1 LS | | | 1,000.00 | \$ 1,000.00 | |
| Rental for Pump(1) | 40 days | | | 100.00 | \$ 4,000.00 | \$ 8,000.00 |
| Material Handling Costs(953 bags per day) | | | | | | |
| Teamster Driver | 15 days | | | 410.00 | \$ 6,150.00 | |
| 5-Laborer | 15 days | | | 1,750.00 | \$ 26,250.00 | |
| 1-Fork Lift Operator | 15 days | | | 500.00 | \$ 7,500.00 | |
| Hoist Charges | 15 days | | | 1,600.00 | \$ 24,000.00 | \$ 63,900.00 |
| Layout, Shoot pins, measure Estimated @ 5000 s.f./day | | | | | | |
| 2- Surveyor | 20 days | | | 900.00 | \$ 18,000.00 | |
| (Initial Survey) 2- Surveyor | 5 days | | | 900.00 | \$ 4,500.00 | \$ 22,500.00 |
| Installation of Stops- Total (150 L.F./FL.=1800L.F) | | | | | | |
| 1- Carpenter | 8 days | | | 350.00 | \$ 2,800.00 | \$ 2,800.00 |
| Preparation of Floors | | | | | | |
| Shot blasting, Sanding, Sweeping, Applying Primer | | | | | | |
| Shot blasting, sanding, and sweeping | 100000 sf | | | 0.30 | \$ 30,000.00 | \$ 30,000.00 |
| Apply Primer (Mop or broom) | 100000 sf | | | 0.25 | \$ 25,000.00 | \$ 25,000.00 |
| Pumping- 358 bags per day | | | | | | |
| 5- Men | 40 days | | | 1750.00 | \$ 70,000.00 | \$ 70,000.00 |
| TOTAL SUBCONTRACTOR'S COST | | | | | \$ 529,200.00 | |
| 20% o.h. & p | | | | | \$ 105,840.00 | \$ 635,040.00 |
| GC MARKUP, 10%, 5% and 3% | | | | | \$ 18,376.00 | |
| SUB TOTAL | | | | | \$ 653,416.00 | |
| GC DIRECT COST: | | | | | | |
| Supervisor | 40 days | | | 350.00 | \$ 14,000.00 | |
| Operating Engineer | 40 days | | | 500.00 | \$ 20,000.00 | |
| TOTAL GC COST | | | | | \$ 34,000.00 | |
| 20% o.h. & p | | | | | \$ 6,800.00 | |
| SUB TOTAL | | | | | \$ 40,800.00 | |
| GRAND TOTAL FOR CHANGE ORDER | | | | | \$ 694,216.00 | |

1 Sum of item 33 and 34. SubContractor's Sub Total, shall be taken to formulate "Cost per Bag"
 i.e., 635.040.00/14300= **\$ 44.41**

Contractor's Proposal

Dated: 3/21/2000

Change Order No.: GC2-028



TRATAROS
Construction, Inc.

March 21, 2000

John McCullough
TDX
137 East 25th Street
New York, N.Y. 10010

Re: Baruch Academic Complex
GC-2 Contract #16
ND #577
Floor leveling

Gentlemen:

As requested by TDX, we are submitting cost estimates for installation of 3/8" floor leveling. This estimate is based on 100,000 sft. area for floors 3 to 16. The areas are to be identified prior to installation by TDX. Please issue a change order in the amount of \$532,328.00.

A billable change order must be in place prior to starting this operation.

SUBCONTRACTOR COST:

Materials:

| | |
|--|---------------|
| a) 7150 bags @ \$21/bag..... | \$ 150,150.00 |
| (yield/bag @ 3/8" thickness is 14 sft) | |
| b) 1000 gals primer @ \$9/gal..... | 9,000.00 |
| c) Sand paper 1s..... | 1,000.00 |
| d) Stops..... | 2,400.00 |
| e) Sweeping compound..... | 500.00 |

Equipment:

| | |
|---|-------------|
| a) Fork lift 8 days rental @ \$200/day..... | \$ 1,600.00 |
| b) Miscellaneous tools..... | 1,000.00 |
| c) Pump rental 42 days @ \$300/day..... | 12,600.00 |

Labor Costs:

A) Material Handling

| | |
|---|----------------------|
| i teamster driver 8 days @ \$410/day..... | \$ 3,280.00 |
| 5 laborers 8 days @ \$350/day..... | 16,000.00 x 14,000 ✓ |
| 1 fork lift operator @ \$500/day..... | 4,000.00 |
| Hoist charges 8days @ \$1600/day..... | 12,800.00 |

364 64th Street
Brooklyn, New York 11220
Phone: 718-222-6679
Fax: 718-223-2262

TDX
CONSTRUCTION CORP.

MAR 22 2000

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Page 2

LAYOUTB) Mark floor, shoot pins, measure

| | |
|---------------------------------------|--------------|
| 4000 sq. ft./day | |
| 2 men, 25 days @ \$450/day..... | \$ 22,500.00 |
| 2 men, 8 days @ \$450/day..... | 7,200.00 |
| (initial survey completed by Bartech) | |

C) Installation of stops

| | |
|----------------------------|-------------|
| 4800 lft total 400 lft/day | |
| 12 days @ \$350/day..... | \$ 4,200.00 |

D) Preparation:

| | |
|---------------------------------|--------------|
| Sanding, sweeping, apply primer | |
| 2500 sq. ft./day | |
| 5 men, 40 days @ \$350/day..... | \$ 70,000.00 |

E) Pumping

| | |
|--|---------------------|
| 175 bags/day | |
| Crew of 5 men, 42 days @ \$1750/day..... | <u>\$ 73,500.00</u> |

| | |
|-------------------------------|---------------------|
| Total subcontractor cost..... | \$391,730.00 |
| 20% O.H & P..... | \$ 78,346.00 |
| G.C. Markup..... | <u>\$ 14,252.00</u> |
| TOTAL #1..... | \$484,328.00 |

DIRECT COST:

| | |
|---|---------------------|
| A) 1 supervisor - 40 days @ \$500/day..... | \$ 20,000.00 |
| 1 operating engineer 40 days @ \$500/day..... | <u>\$ 20,000.00</u> |

| | |
|-------------------|--------------------|
| Sub total #2..... | \$ 40,000.00 |
| G.C. Mark up..... | <u>\$ 8,000.00</u> |
| TOTAL #2..... | \$ 48,000.00 |

GRAND TOTAL FOR CHANGE ORDER \$532,328.00

Page 3

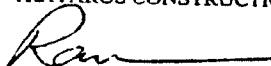
EXCLUSIONS:

- 1 - Actual impacts on project schedule.
- 2 - Coordination with other prime contractors.
- 3 - Comeback costs for areas that cannot be completed at the time we are working on the floor.
- 4 - Not responsible for active cracks which may occur in under layment due to building movement.
- 5 - Down days are extra.
- 6 - Water supply by others.
- 7 - Electric hook up by others.
- 8 - Not responsible for concrete delamination.
- 9 - Protection of floors by TDX
- 10 - No heavy duty work by others for three (3) days after placement.
- 12 - Moving of materials.
- 13 - Initial cleaning.

Please be advised that, notwithstanding the release schedule analysis contained in this proposal, this proposal does not include costs associated with any cost or time impact which the work encompassed therein may have on the contract work or work encompassed by any other changes, and Trataros Construction and its subcontractors reserves its rights concerning any such impact, as well as its right to seek an appropriate extension of time.

Very truly yours,

TRATAROS CONSTRUCTION, INC.



Ramesh Rangaswamy
Project Manager

RR/bf

Encl.

CC: Nick D'Ambrosio, DASNY
JFC, AC, WB
Field
Office
Files

Reference Documents

Change Order No.:GC2-028

Manufacturer's Catalogue Sheet.,
KPF Memo 11/8/99

T E C H N I C A L D A T A

Conflow

Self-finishing and Leveling Composition

Description

Conflow is a self-leveling and self-finishing polymer modified Portland Cement based material. Use Conflow as an underlayment for interior applications.

Manufacturer

Conspec Marketing & Manufacturing Co., Inc.
636 South 66th Terrace
Kansas City, Kansas 66111
Telephone: (913) 287-1700
(800) 348-7351

Use

For new concrete, old concrete, old concrete with cutback, tile or terrazzo, wood and special shot-blasted surfaces.

Architectural Specifications

Self-leveling Underlayment: All concrete floors to be leveled and/or resurfaced shall be topped with a self-leveling, polymer modified material. Approved product: Conspec Conflow or approved equivalent.

Application

Surface Preparation - Typical for All Surfaces:

1. Floor should be free of oils, waxes, curing compounds, sealers and any foreign material.
2. Clean floors with a mechanical scrubber with a vacuum pickup or shot blasting equipment to remove dust and dirt. DO NOT broom sweep.
3. Use hand metal scrubbers. Mop or wet dry vacuum in small areas where a mechanical scrubber is impractical. NOTE: Refer to specific floor sections below for further instructions.

New and Old Concrete Surfaces:

1. Surface should be hard, dense and non-dusting.
2. Surface should be twenty-eight days or older and free of all curing agents, sealers etc.
3. Patching materials that are loose or unsound should be removed. Refer to "Special Surfaces" for further details.
4. Test the Primeflow® on the prepared surface to insure good adhesion: STEP A. Apply the Primeflow to a 4' by 4'(1.22 m x 1.22 m) area with a broom or mop and allow it to dry. STEP B. Using the pointed end of a knife or a sharp device, scrape through the Primeflow. If the Primeflow can be peeled up, it is not a suitable

application. If the scraper only scratches the Primeflow, the surface is suitable for application.

Old Concrete Surfaces With Cutback:

1. Refer to the general procedures for "New and Old Concrete."

2. Areas with heavy or loose cutback must be removed.
3. Shot blasting is recommended.
4. Use Conspec Orange Peel to remove any residual cutback.

Tile and Terrazzo Surfaces:

1. Must be free of all waxes, sealers, oils or grease and any loose or foreign material.
2. The Primeflow test is critical. Refer to the Primeflow instructions in "New and Old Concrete."

A P P L I C A T I O N P R O P E R T I E S

| | |
|--|----------------------------|
| Working Time (depending on environment) | |
| Interior | 10 - 25 minutes |
| Setting Time (ASTM C-266) | |
| Initial | 50 - 75 minutes |
| Final | 2 hrs. - 2 hrs., 30 min. |
| Avg. Compressive Strength, w/m = 0.21 (ASTM C-109) | |
| 1 day | 1500 psi min. (10.3 MPa) |
| 7 days | 3500 psi min. (24.1 MPa) |
| 28 days | 6000 psi min. (41.3 MPa) |
| Tensile Strength (ASTM C-307) | |
| 1 day | 300 psi (2.1 MPa) |
| 7 days | 500 psi (3.4 MPa) |
| Expansion (ASTM C-157) | |
| 1 day | .001% |
| 7 days | .001% |
| 28 days | .002% |
| Bond Strength (tension) | |
| 7 days exceeds | 200 psi (1.4 MPa) |
| Shear Bond Strength (ASTM C-1042) | |
| 14 days | 1054 psi (7.3 MPa) |
| Coverage of 45 lbs. at 1/4" | 22 sq. ft. (2.04 sq. m.) |
| Water Requirements for 45 lbs. (1 bag) | 1.18 to 1.31 gal.(4.5-5 L) |
| Mixing Time | 2 - 3 minutes |
| Maximum Depth | 1" (2.54 cm) |



CONSPEC Marketing & Manufacturing Co., Inc. • 636 S. 66th Terrace • Kansas City, KS 66111 • 913-287-1700 • 800-348-7351

Architects and Planning Consultants
New York, London, Tokyo

Telephone 212 977 6500
Fax 212 956 2526

Fax Transmittal

Project: BARUCH COLLEGE - SITE B BUILDING
CUNY Project No. BA104-085
DASNY #6500 1002 3146
KPF Project No. 1063-01

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Architects and Planning Consultants
New York, London, Tokyo

145 PARK AVENUE, NEW YORK, NY 10019
Telephone 212 977 6500
Fax 212 956 2526

Memorandum

To: John McCullough, TDX

From: Christopher Stoddard Date: November 8, 1999
Re: Baruch Academic Complex - Site B
Slab Tolerances
Copies to: N. D'Ambrosio, R. Leu, J. Berarra, R. Hartwig, C. File, File 4.8

The following criteria shall be used for slab tolerances for each finish floor material. Where slabs are beyond these tolerances, flash patch material should be used to level the slabs prior to finish installation.

- Terrazzo 1/4" over 10 feet
- Carpet 1/2" over 10 feet
- VCT 1/4" over 10 feet

1/2" maximum undercut allowed for doors at saddle and carpet conditions.

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TOTAL P.02

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